

Attorney Docket No.: AWL-223-2002-US
Responsive to Office Action dated 1/24/2008

REMARKS

Record is made of a telephone conference had with the Examiner in charge of this case on April 22, 2008, at which applicant's claims, the prior art and the advisory action of April 15, 2008 were discussed. This opportunity is taken to thank the Examiner for all of the courtesies extended by her to applicant's attorney at the aforesaid conference.

In accordance with those discussions, the applicant has limited the claims using the language "consisting essentially of" and very specific polymers. The Examiner indicated that she would again review applicant's disclosure and the prior art with a view to determining whether as limited, the claims are now allowable.

The claims listed in this amendment include the amendments set forth in applicant's Amendment After Final Rejection filed March 24, 2008 as well as the amendments set forth above. Two new independent claims (33 and 34) have been added, and are directed to Examples 1 and 3 respectively, i.e., they are limited to specific embodiments and in fact the compositions used in the declaration for establishing the desirable properties i.e., wet peel strength and barrier properties of the compositions of the invention.

The applicant wishes to rely on previously presented arguments as to patentability and to that end incorporates the same in their entirety into this amendment by reference thereto. As set forth in applicant's Amendment After Final Rejection filed March 24, 2008, the specification at pages 9-15 and the declaration clearly establish the criticality of the structure proposed by applicants, for example in producing the desirable properties, i.e., wet peel strength and barrier properties (see Table). Thus a quick calculation indicates the following:

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	Example 1	Example 2	Example 3
Dry Inner Peel Strength	84%	30%	213%
Wet Inner Peel Strength	84%	Negative	210%

Such results clearly support applicant's position that the invention is not obvious and would not have been foreseen by the skilled in the art.

The rejection of the claims on prior art is not believed sustainable (*supra*) and should be withdrawn. It is noted however that Griesbach's nonwoven film laminate as described in the published application comprises a core layer and at least one skin layer joined to each other. The core layer, not comprised of multi differing layers, contains micropore developing filler. Examples of polymers suitable for the core layer are set out in paragraph 0052 and for the skin layer in paragraph 0053. Morman is relied on by the Examiner as "absent unexpected results" to establish that the polyolefins employed by Griesbach are functionally equivalent to the low density polyethylene polymers of Morman for the desired use of forming a film and can be used interchangeably. First the applicants have submitted data establishing unexpected results and secondly, the combination of references does not recognize the significance of mixed layers in the core and different polymers for the core and film which is basic to applicant's invention.

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It would be very much appreciated if the Examiner would contact applicant's attorney at the number shown below so that the applicant can timely proceed as to the next step to be taken.

This patent is being sent by fax to 571-273-8300 after first notifying the Examiner to that effect.

It is submitted that the claims as now in the case are allowable to the applicants and notification to this effect is now respectfully requested.

Respectfully Submitted,
Attorney for Applicant

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